

TEMPORARY
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 24 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 27 2005 under 72166

The applicant **RANDALL SOULE** hereby makes application for permission to change the **POD, POU & MOU OF A PORTION** of water heretofore appropriated under **PERMIT 72166**

1. The source of water is **THOMAS CREEK**
2. The amount of water to be changed **0.61 A.F**
3. The water to be used for **CONSTRUCTION**
4. The water heretofore permitted for **AS DECREED**
5. The water is to be diverted at the following point **NE1/4 SE1/4 SECTION 27, T18N, R19E, MDM, OR AT A POINT FROM WHICH THE E1/4 CORNER BEARS N 79° 30' 00" E 650'**
6. The existing permitted point of diversion is located within **NW1/4 NE1/4 SECTION 24, T18N, R19E, MDM OR AT A POINT FROM WHICH THE S1/4 OF SAID SECTION 24, BEARS S 01° 53' 03" W, A DISTANCE OF 4,498.29 FEET**
7. Proposed place of use **SEE ATTACHED 9-14-06 MAP OF WALTERS RESIDENCE DRIVEWAY DESIGN-SHEET 2 OF 3-ACCESS EASEMENT FROM USFS OVER APNs 049-040-07, 049-040-04, 049-040-05, AND ALL OF WALTERS PARCEL APN 049-040-02**
8. Existing place of use **9.19 ACRES WITHIN A PORTION OF THE NW1/4 NE1/4 SECTION 24, T18N, R19E, MDM, ALSO KNOWN AS WASHOE COUNTY APN 049-165-02, 03 & 04. REFER TO ATTACHED MAP UNDER 72166**
9. Use will be from **10-15** to **12-31** of 2006.
10. Use was permitted from **AS DECREED** to **AS DECREED** of each year.
11. Description of proposed works. **AS PER CORPS OF ENGINEERS NOTICATION NATIONWIDE PERMIT 23 CORPS ID #200400144, TEMPORARY DAM, PUMP, BYPASS, AND ANCILLARY SILT BYPASS**
12. Estimated cost of works **\$7,500**
13. Estimated time required to construct works **30 DAYS**
14. Estimated time required to complete the application of water to beneficial use **12 MONTHS**

15. Remarks: 0.61 AF OF CONSTRUCTION WATER-ON PROPOSED #7. ABOVE

By BRIEN B. WALTERS
s/ BRIEN B. WALTERS
1575 DELUCCHI LN, STE. 115
RENO, NV 89502

Compared lt/gkl lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of a portion of the waters of Thomas Creek as heretofore granted under Permit 72166 which changed the point of diversion and place of use of Claim No. 719, Truckee River Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of the water placed to beneficial use. The totalizing meter must be installed before any use of water begins.

This temporary permit is issued subject to the continuing jurisdiction and regulation by the Federal Water Master and the State Engineer.

A monthly report shall be submitted to the Federal Water Master within 10 days from the end of each month, which shall include the amount of water diverted and the amount of water used.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on December 13, 2007 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.006 cubic feet per second, but not to exceed 0.61 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A-Temporary

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

N/A-Temporary

Map in support of proof of beneficial use shall be filed on or before:

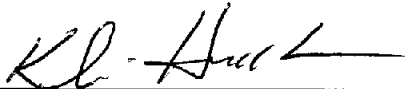
N/A-Temporary

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 14th day of December, A.D. 2006

 P.E.

Deputy State Engineer, Kelvin Hickenbottom, P. E.